



CANNON BUILDING  
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STATE OF DELAWARE  
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

**PUBLIC MEETING NOTICE:**

**BOARD OF PROFESSIONAL LAND SURVEYORS  
PUBLIC WORKSHOP**

**DATE AND TIME:**

**Thursday, November 15, 2012 at 11:00 a.m.**

**PLACE:**

861 Silver Lake Boulevard, Dover, Delaware  
**Conference Room A**, second floor of the Cannon Building

**AGENDA**

- 1.0 Call to Order
- 2.0 Review and Approval of Minutes – None
- 3.0 Old Business – None
- 4.0 New Business
  - 4.1 Possible amendments to Titles 9 and 22 of the Delaware Code regarding the issuance of a certificate of occupancy permits and survey monumentation
  - 4.2 Possible amendment to Title 25, Chapter 3 regarding survey requirements for conveyances of real estate.
- 5.0 Other Business before the Board (for discussion only)
- 6.0 Public Comment
  - 6.1 Jill Myers Gray, PLS – Newark, Delaware (Written Comment) \*
- 7.0 Schedule Next Meeting
- 8.0 Adjournment

**Please Take Note:** To assure consideration of an application at a meeting, the Board office must receive all of these items no later than 4:30 p.m. ten full working days before the meeting date:

- Completed, signed and notarized application form,
- Fee payment, and
- All required documentation.

A final amended agenda will be published to reflect any items received after the original agenda is posted.

Unforeseen circumstances may result in a meeting being cancelled due to a lack of quorum.

Pursuant to 29 Delaware Code, Section 10004(e)(2), the Board shall pre-announce or pre-publish all Executive Sessions; however, such agenda shall be subject to change to include additional items including Executive Sessions which arise at the time of the body's meeting.

**MEMBERS: PLEASE CALL THE BOARD OFFICE AT 302-744-4500 OR EMAIL [customerservice.dpr@state.de.us](mailto:customerservice.dpr@state.de.us) IMMEDIATELY IF YOU CANNOT ATTEND THE MEETING. THANK YOU.**

An act to amend Titles 9 and 22 of the Delaware Code regarding the issuance of a certificate of occupancy permits and survey monumentation.

Section 1. Amend Title 9, chapter 30, Delaware Code by deleting subsections (c) and (d) of Section 3005 thereof, and inserting in lieu thereof the following:

(c) No occupancy permit shall be issued for building, improvement or structure for any individual lot, unless permanent corner marker monuments have been previously set and certified for such lot.

(d) The technical standards for such monuments shall be as provided by regulation adopted by the Board of Professional Land Surveyors, pursuant to title 24, Section 2760 of this Code.

(Affects NCC, similar provisions for Kent and Sussex Counties follow as Sections 2 and 3)

Section 4. Amend Title 22, chapter 3, Delaware Code by creating a new Section 312, to read as follow:

Section 312. Property monuments and occupancy permits.

(a) The zoning ordinance and regulations adopted pursuant to this chapter shall provide that no occupancy permit shall be issued for building, improvement or structure for any individual lot, unless permanent corner marker monuments have been previously set and certified for such lot by a qualified professional.

(b) The technical standards for such monuments shall be as provided by regulation adopted by the Board of Professional Land Surveyors, pursuant to title 24, Section 2760 of this Code.

An act to amend Title 25, Chapter 3 of the Delaware Code regarding survey requirements for conveyances of real estate.

Section 1. Amend Title 25, chapter 3, Delaware Code by creating a new Section 320 thereof, to read as follows:

(a) Any conveyance of real estate must be accompanied at settlement by a copy of a recent sealed survey of the property to be conveyed that complies with the applicable minimum technical standards for such surveys, as adopted by the Board of Professional Land Surveyors pursuant to Section 2706 of Title 24 of the Code.

(b) As used herein, “recent sealed survey” shall mean a survey as defined above that is completed within 90 days of the date of settlement for the conveyance.

(c) No such survey shall be required for the following types of conveyances:

List Examples (quitclaims, corrective deeds, deeds among current owners, etc.)